

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Amar LULLA et al

Prior Group Art Unit: 3761

Serial No.: New U.S. Continuation Application of  
U.S. Application 09/857,707, filed June 8, 2001

Prior Examiner: T. Mitchell

Filed: July 14, 2003

For: SPACER DEVICE FOR INHALER

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.56**

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR §1.56, the applicants hereby call to the attention of the Patent and Trademark Office the references listed on the attached List of References. All of these references are of record in the parent application; copies need not be submitted (see 37 CFR §198(d)). This list of references is being provided to ensure listing of these references on a patent to issue in this application in accordance with the following paragraph of MPEP 609:

"Information which is cited or submitted to the Office in the parent application of a file wrapper continuing application under 37 CFR 1.62 will be part of the file before the examiner and need not be resubmitted in the continuing application to have the information considered and listed on the patent. Likewise, the examiner will consider information cited or submitted to the Office in a parent application when examining a continuing application which is not a file wrapper continuing application, and a list of the information need not be submitted in the continuing application unless applicant desires the information to be printed on the patent." (emphasis added).

Applicant presents these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention; see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970).

Applicant respectfully requests that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



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TPP:mat  
Attorney Docket No.: TPP 31402A

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Date: July 14, 2003

FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office	ATTY. DOCKET NO. <b>TPP 31402A</b>	SERIAL NO. <u>To be assigned</u>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		
(Use several sheets if necessary)		
<b>APPLICANT</b> <b>Amar LULLA et al</b>		
<b>FILING DATE</b> <b>July 14, 2003</b>		
<b>PRIOR GROUP</b> <b>3761</b>		

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
													YES	NO	
		9	3	1	1	8	1	7	06/93	WO					
		2	2	9	9	5	1	2	10/96	GB					
		9	7	1	2	6	3	9	04/97	WO					
		2	1	1	0	5	4	3	06/93	GB					
		9	1	0	0	1	1	7	01/91	WO					

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.